THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.24987 of 2006

Dated:10.09.2007

Between

Y.Venkata Rami Reddy

.....Petitioner

and

1.The Govt of Andhra Pradesh rep.,
by its District Cooperative Officer,
Khammam, Khammam District and
Others.

…Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.24987 of 2006

ORDER:

This writ petition has been filed seeking a Mandamus to declare the action of the respondents in preventing the petitioner from discharging his duties as Secretary of 3rd respondent-society as arbitrary and illegal and violative of Article 14 of the Constitution of India.

It appears that the petitioner was the secretary of Karaigudem Primary Agricultural Cooperative Society, Penubally Mandal, Khammam District. According to the petitioner, he did not attend to his duty one or two days due to fever. The respondents without conducting any enquiry, without giving any notice and without passing orders, prevented

the petitioner from attending to duties from 23.2.2006.

There is no necessity to go into all the details. Admittedly, the petitioner has an effective alternative remedy of approaching the Authority under the Shops and Establishments Act, 1988 (for short 'the Act'). According to the petitioner, though he approached 4th respondent, who is the Authority under Section 48 of the Act, by filing an appeal, the same was not entertained.

I am of the opinion that the Primary Agricultural Cooperative Society and its employees are amenable to the provisions of the Act. Therefore, against the oral termination, the petitioner has already filed an appeal before 4th respondent, and 4th respondent instead of entertaining the same has returned it and unfortunately no reasons are furnished by him.

In view of the above, without expressing

any opinion on merits, 4th respondent is directed to entertain the appeal purported to have been filed by the petitioner against the oral termination by 3rd respondent and dispose of the same on merits after putting the parties on notice and hearing them.

Writ petition is disposed of accordingly. No costs.

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10-09-2007

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